

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED _____ (Y/N)

ADOPTED AS AMENDED _____ (Y/N)

ADOPTED W/O OBJECTION _____ (Y/N)

FAILED TO ADOPT _____ (Y/N)

WITHDRAWN _____ (Y/N)

OTHER

1 Committee/Subcommittee hearing bill: Civil Justice & Claims
2 Subcommittee

3 Representative Edwards offered the following:

4
5 **Amendment**

6 Remove lines 81-88 and insert:

7 (6) A county may not delegate its police power to a third
8 party by restriction, covenant, or otherwise, and any such
9 purported delegation is hereby declared void. The imposition or
10 acceptance of a recorded or unrecorded restriction or covenant
11 as a condition of a county's approval or issuance of a
12 development permit does not preclude the county from exercising
13 its police power, in its sole discretion, to later amend,
14 release, or terminate the restriction or covenant. Any such
15 amendment, release, or termination of the restriction or

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16 covenant must follow the procedural requirements set forth in s.
17 125.66

18 Remove lines 95-103 and insert:

19 (6) A municipality may not delegate its police power to a
20 third party by restriction, covenant, or otherwise, and any such
21 purported delegation is hereby declared void. The imposition or
22 acceptance of a recorded or unrecorded restriction or covenant
23 as a condition of a municipality's approval or issuance of a
24 development permit does not preclude a municipality from
25 exercising its police power, in its sole discretion, to later
26 amend, release, or terminate the restriction or covenant. Any
27 such amendment, release, or termination of the restriction or
28 covenant must follow the procedural requirements set forth in s.
29 166.041(c), Florida Statutes.~~This section does not prohibit a~~
30 ~~municipality from~~